

STATE OF WASHINGTON  
**APPLICATION FOR CHANGE/TRANSFER  
OF WATER RIGHT**

For filing with Ecology or with County Conservancy Boards



**A MINIMUM FEE OF \$10.00 PAYABLE TO ECOLOGY MUST ACCOMPANY THIS APPLICATION**

(Check all that apply.)

- ☐ Change purpose(s) of use  
☒ Add purpose(s) of use  
☒ Change point(s) of diversion/withdrawal  
☐ Add point(s) of diversion/withdrawal  
☒ Change/transfer place of use  
☐ Other (i.e. consolidation, intertie, trust water)

Explain: \_\_\_\_\_

<b>FOR OFFICE USE ONLY</b> <i>KITTITAS</i>	
<i>CS4-00626 CTCL</i>	<i>39</i>
CHANGE No. _____	WRIA _____
DATE ACCEPTED <i>10/20/04</i> BY <i>[Signature]</i>	
FEE \$ <i>30.00</i> REC'D <i>10/14/04</i>	
CHECK No. <i>4498</i>	<i>Fm</i>
SEPA: <input checked="" type="checkbox"/> Exempt <input type="checkbox"/> Not Exempt	

**\*\*IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)\*\***

*2 of 3*

**1. Applicant Information:**

APPLICANT/BUSINESS NAME <b>MountainStar Resort Development, LLC</b> <b>Attn: George Cockill</b>	PHONE NO. <b>(509) 649-3000</b>	FAX NO. <b>(509) 649-3059</b>
ADDRESS <b>109 South First Street, PO Box 887</b>		
CITY <b>Roslyn</b>	STATE <b>WA</b>	ZIP CODE <b>98941</b>

CONTACT NAME (IF DIFFERENT FROM ABOVE) <b>Joe Mentor, Jr. % Mentor Law Group, PLLC</b>	PHONE NO. <b>(206) 493-2300</b>	FAX NO. <b>(206) 493-2310</b>
ADDRESS <b>2025 First Avenue, Suite 1100</b>		
CITY <b>Seattle</b>	STATE <b>WA</b>	ZIP CODE <b>98121</b>

**2. Water Right Information:**

WATER RIGHT OR CLAIM NUMBER <b>Acquavella Court Claim No. 00626 (May 20, 1885)</b>	RECORDED NAME (S): <b>Anderson Development Properties, LLC</b>
DO YOU OWN THE RIGHT TO BE CHANGED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF NO, PROVIDE OWNER(S) NAME:	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	

**Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.**

<b>FOR OFFICE USE ONLY</b>			
APP. NO. _____	PERMIT NO. _____	CERT. NO. _____	CERT. OF CHANGE NO. _____

*COURT CLAIM 00626 (MAY 20, 1885)  
SUB 7 REETER CREEK*

*CS4-00626 CTCL*

**REET** *10-21-2004*



3. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Yakima River		SW	NE	29	18	18 E.		

B. Proposed

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Yakima River @ City of Cle Elum		SW	SE	27	20	15 E.		
Cle Elum River @ City of Cle Elum		SW	SE	30	20	15 E.		
Cle Elum River @ Winston Bridge (E)		NW	NE	14	20	14 E.		
Cle Elum River @ Winston Bridge (W)		E1/2	SW	11	20	14 E.		

DO YOU OWN THE EXISTING AND PROPOSED POINT(S) OF DIVERSION/WITHDRAWAL?

EXISTING: ☐ YES ☒ NO

PROPOSED: ☒ YES ☒ NO – IF NO, PROVIDE OWNER (S) NAME: City of Cle Elum and MountainStar Resort Development, LLC

Please include copies of all water distances from the nearest section include that information in Item No.

CTCL 00626  
PG 81

HAS 1 qd 392 qd  
I THINK THIS IS TYPO ON  
APP- SHOULD BE 392 qd

proposal. Also, if you know the of diversion/withdrawal, please

4. Purpose of Use:

A. Existing

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation of 40 acres	1 cfs	329 AF/YR	April 1 to October 15

B. Proposed

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Municipal Purpose and Flow Augmentation	1 cfs	329 AF	April 1 to October 15

5. Place of Use:

A. Existing

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
NW ¼ SW ¼ of Section 34, Township 18 N., Range 18 E.W. M., Kittitas County							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
NW	SW	34	18	18 E.	Kittitas		40
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME: Anderson Development Properties, LLC							

B. Proposed

LEGAL DESCRIPTION OF LANDS WHERE NEW USE IS PROPOSED:							
Area served by MountainStar Resort Resources, Inc., in accordance with a water system comprehensive plan or update approved by Washington Department of Health in Secs. 11, 13-15, 23-25, T. 20 N., R. 14 E.W.M., and Secs. 18-21, 28-31, T. 20 N., R. 15 E.W.M.							
¼	¼	SEC.	TWP.	RGE.	COUNTY	PARCEL #	# OF ACRES
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME:							

Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features



Attach a detailed map of your proposed change/transfer. The map should show existing and proposed point(s) of diversion/withdrawal, place of use and any other features involved with this application. If platted property, please include a certified copy of the plat map.

Are there any ADDITIONAL WATER rights OR CLAIMS RELATED to the same property as the ONE PROPOSED FOR CHANGE/TRANSFER?  
☒ YES ☐ NO - IF YES, PROVIDE THE WATER RIGHT/CLAIM NUMBER(S): CS4-YRB07CC01724@1, CS4-YRB07CC01724@2, CS4-YRB07CC01724@3, CS4-YRB07CC01724@4, CS4-YRB07CC01724@5 and CS4-YRB07CC01724@6

6. Remarks and Other Relevant Information:

IF FOR SEASONAL OR TEMPORARY, START DATE ___/___/___ END DATE ___/___/___

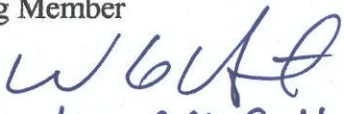
7. Signatures:


I certify that the information above is true and accurate to the best of my knowledge. I understand that in order to process my application, I am hereby granting staff from the Department of Ecology or the County Conservancy Board access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

**Applicant and Water Right Holder:**

MOUNTAINSTAR RESORT DEVELOPMENT, LLC, a Delaware limited liability company

BY: EASTON RIDGE INVESTORS, LLC, a Delaware limited liability company, its Managing Member

By:   
Name: WILLIAM G. HUNT  
Its: EVP  
Dated: 10-1-04

By:   
Name: DEL E. GOEHRING  
Its: VICE PRESIDENT  
Dated: 10/4/04

**Land Owner, Existing Place of Use:**

See Purchase and Sale Agreement / /

**IMPORTANT!** APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.

**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

- ☐ APPLICATION FEE NOT ENCLOSED ☐ MAP NOT INCLUDED or INCOMPLETE  
☐ ADDITIONAL SIGNATURES REQUIRED ☐ SECTION \_\_\_\_\_ IS INCOMPLETE  
☐ OTHER/EXPLANATION: \_\_\_\_\_

STAFF: \_\_\_\_\_ DATE: \_\_\_/\_\_\_/\_\_\_